

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

POLISH STEAMSHIP CO.,

Plaintiff,

- against -

BELARUSSIAN SHIPPING CO. LTD. a/k/a  
BELARUSISIAN SHIPPING CO. a/k/a  
BELARUSIAN SHIPPING CO. a/k/a  
BELORUSIAN SHIPPING CO.,  
TRASER ALLIANCE LTD. and  
DEKKER LIMITED,

Defendants.

08 CV 4749 (RWS)

ECF CASE

**AFFIDAVIT IN SUPPORT OF PRAYER FOR MARITIME ATTACHMENT**

State of Connecticut    )  
                                  )  
County of Fairfield    )       ss: Town of Southport

Kevin J. Lennon, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and represent the Plaintiff herein. I am familiar with the facts of this case and make this Affidavit in support of Plaintiff's prayer for the issuance of a Writ of Maritime Attachment and Garnishment, pursuant to Rule B of the Supplemental Admiralty Rules of the Federal Rules of Civil Procedure.

**DEFENDANTS ARE NOT PRESENT IN THE DISTRICT**

2. I have attempted to locate the Defendants, BELARUSSIAN SHIPPING CO. LTD., a/k/a BELARUSSIAN SHIPPING CO. a/k/a BELARUSIAN SHIPPING CO. a/k/a BELORUSIAN SHIPPING CO., TRASER ALLIANCE LTD. and DEKKER LIMITED within this District. As part of my investigation to locate the Defendants within this District, I checked the telephone company information directory, as well as the white and yellow pages for New

York listed on the Internet or World Wide Web, and did not find any listing for these Defendants. Finally, I checked the New York State Department of Corporations' online database which showed no listings or registration for these Defendants.

3. I did locate a website hosted at [www.belshipco.com](http://www.belshipco.com) that appears to be owned, operated and maintained by the Defendant Belarussian Shipping Co. Ltd. However, a review of that website does not appear to show any presence within this District. Attached hereto as Exhibit 1 are printouts from the aforementioned website which fail to show any presence within this District. I did not locate any similar websites for Defendants TRASER or DEKKER.

4. I submit based on the foregoing that the Defendants cannot be found within this District within the meaning of Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims.

5. Upon information and belief, the Defendants have, or will have during the pendency of this action, tangible and intangible property within this District and subject to the jurisdiction of this Court, held in the hands of in the hands of garnishees within this District, which are believed to be due and owing to the Defendants.

6. This is Plaintiff's first request for this relief made to any Court.

**PRAYER FOR RELIEF FOR ORDER ALLOWING SPECIAL PROCESS SERVER**

7. Plaintiff seeks an Order pursuant to Rule 4(c) of the Federal Rules of Civil Procedure, for an Order appointing Patrick F. Lennon, Kevin J. Lennon, Charles E. Murphy, Nancy Peterson (Siegel), Colleen McEvoy, Anne C. LeVasseur or any other partner, associate, paralegal or agent of Lennon, Murphy & Lennon, LLC, or any process server employed by Gotham Process Servers, in addition to the United States Marshal, to serve the Ex Parte Order and Process of Maritime Attachment and Garnishment, together with any interrogatories, upon

the garnishee(s), together with any other garnishee(s) who (based upon information developed subsequent hereto by the Plaintiff) may hold assets of, for or on account of, the Defendants.

8. Plaintiff seeks to serve the prayed for Process of Maritime Attachment and Garnishment with all deliberate speed so that it may be fully protected against the potential of being unable to satisfy a judgment/award ultimately obtained by Plaintiff and entered against the Defendants.

9. To the extent that this application for an Order appointing a special process server with respect to this attachment and garnishment does not involve a restraint of physical property, there is no need to require that the service be effected by the Marshal as it involves simple delivery of the Process of Maritime Attachment and Garnishment to the various garnishees to be identified in the writ.

**PRAYER FOR RELIEF TO SERVE LATER IDENTIFIED GARNISHEES**

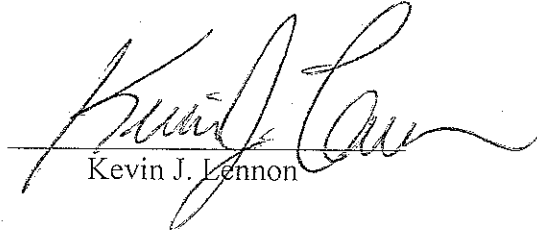
10. Plaintiff also respectfully requests that the Court grant it leave to serve any additional garnishee(s) who may, upon information and belief obtained in the course of this litigation, to be holding, or believed to be holding, property of the Defendants, within this District. Obtaining leave of Court at this time to serve any later identified garnishees will allow for prompt service of the Process of Maritime Attachment and Garnishment without the need to present to the Court amended Process seeking simply to identify other garnishee(s).

**PRAYER FOR RELIEF TO DEEM SERVICE CONTINUOUS**

11. Further, in order to avoid the need to repetitively serve the garnishees/banks, Plaintiff respectfully seeks further leave of the Court, as set out in the accompanying Ex Parte Order for Process of Maritime Attachment, for any process that is served on a garnishee to be deemed effective and continuous service of process throughout any given day on which process

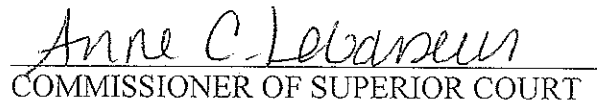
is served through the next day, provided that process is served the next day, and to authorize service of process via facsimile or e-mail following initial *in personam* service.

Dated: May 20, 2008  
Southport, CT



Kevin J. Lennon

Sworn and subscribed to before me  
this 20th day of May 2008.



COMMISSIONER OF SUPERIOR COURT

# EXHIBIT 1

ENG    P/C

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## About the Company

"Belarusian Shipping Company" Joint Stock Company is one of the leading forwarding companies on the transport market of the Republic of Belarus. The Company was established in 1994.

We render a vast range of transportation services by maritime, railway, air and automobile transport. We perform multi-modal transportation ("door-to-door"). The Company organizes delivery of any cargo type (including outsize, long length, heavy-weight, dangerous cargoes) to any point of the world.

We have been involved in delivering Belarusian export and import cargoes: tractors, trucks, tow-cars, murlate of potash, sugar and acrylic staple. The following companies should be named as our clients: Minsk Tractor Works, Belarusian Automobile Works, 'Belshina' Tyre Works, all Belarusian sugar refineries, Belarusian Potash Company and many others.

Belarusian Shipping Company is a full member of the Belarusian Association of International Forwarders (BAIF ([www.baifby.com](http://www.baifby.com))) and an individual member of the International Federation of Freight Forwarders Association (FIATA ([www.fiata.com](http://www.fiata.com))).

We are looking forward to your offers on mutually beneficial cooperation!

[LEAVE A REQUEST](#)RAILWAY  
TRANSPORTATIONAIR  
TRANSPORTATIONAUTOMOBILE  
TRANSPORTATIONMULTIMODAL  
TRANSPORTATIONCONTAINER  
TRANSPORTATION

SHIPPING

ENG PRC

ABOUT US SERVICES CONTACTS LEAVE A REQUEST

## Contacts

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### General director:

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RAILWAY  
TRANSPORTATION

AIR  
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TRANSPORTATION

SHIPPING

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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POLISH STEAMSHIP CO.,

Plaintiff,

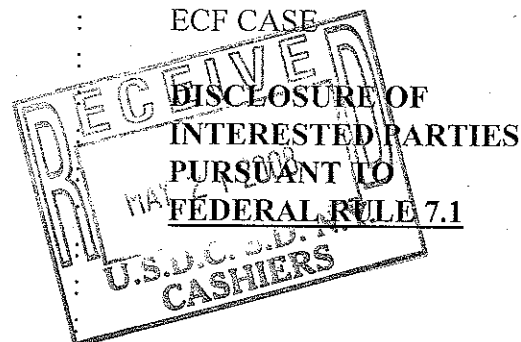
- against -

BELARUSSIAN SHIPPING CO. LTD., a/k/a  
BELARUSSIAN SHIPPING CO., a/k/a  
BELARUSIAN SHIPPING CO., a/k/a  
BELORUSIAN SHIPPING CO.,  
TRASER ALLIANCE LTD. and  
DEKKER LIMITED,

Defendants.  
-----X

08 CV \_\_\_\_\_

ECF CASE



Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure to enable judges and magistrates of the court to evaluate possible disqualification or recusal, the undersigned attorney of record for the Plaintiff certifies that the following are corporate parents, subsidiaries, or affiliates of the Plaintiff:      None.

Dated: May 21, 2008  
New York, NY

The Plaintiff,  
POLISH STEAMSHIP CO.

By: 

Kevin J. Lennon

Anne C. LeVasseur

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